

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RYDEX TECHNOLOGIES, LLC,

Plaintiff,

v.

BAXTER INTERNATIONAL, INC.,

Defendant.

Civil Action No. 13-664-RGA

RYDEX TECHNOLOGIES, LLC,

Plaintiff,

v.

Civil Action No. 13-665-RGA

CAREFUSION CORPORATION,

Defendant.

RYDEX TECHNOLOGIES, LLC,

Plaintiff,

v.

Civil Action No. 13-667-RGA

HAEMONETICS CORPORATION,

Defendant.

RYDEX TECHNOLOGIES, LLC,

Plaintiff,

v.

Civil Action No. 13-668-RGA

HOSPIRA, INC.,

Defendant.

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF  
THEIR MOTION FOR SUMMARY JUDGMENT OF NONINFRINGEMENT**

Pursuant to L.R. 7.1.2(b), Defendants Baxter International, Inc., CareFusion Corporation, Haemonetics Corporation and Hospira, Inc. (collectively, "Defendants") write to inform the Court of the judgment of affirmance recently issued by the United States Court of Appeals for the Federal Circuit in *Rydex, Ltd. v. Ford Motor Co.*, No. 2013-1462; 2013-1463. The Federal Circuit affirmed without an opinion the claim construction order and final judgment from Judge Gilmore of the United States District Court for the Southern District of Texas. Judge Gilmore's claim construction order was cited on pages 11-12 of Defendants' Opening Brief in Support of Their Motion for Summary Judgment of Noninfringement and on pages 4-5 of their Reply Brief in Further Support of Their Motion for Summary Judgment of Noninfringement. A copy of the Federal Circuit's judgment is attached hereto as Exhibit A.

Dated: February 24, 2015

POTTER ANDERSON & CORROON LLP

By: /s/ Philip A. Rovner  
Philip A. Rovner (#3215)  
Jonathan A. Choa (#5319)  
Alan R. Silverstein (#5066)  
Hercules Plaza  
P.O. Box 951  
Wilmington, DE 19899  
(302) 984-6000  
provner@potteranderson.com  
jchoa@potteranderson.com  
asilverstein@potteranderson.com

*Attorneys for Defendant  
Baxter International, Inc.*

DLA PIPER LLP (US)

Of Counsel:

John Allcock  
Richard Mulloy  
Jesse Hindman  
Tiffany Miller  
DLA PIPER LLP (US)  
401 B Street, Suite 1700  
San Diego, CA 94201-4297  
(619) 699-2700

By: /s/ Denise S. Kraft  
Denise S. Kraft (#2778)  
Brian A. Biggs (#5591)  
1201 N. Market Street, Suite 2100  
Wilmington, DE 19801  
(302) 468-5700  
denise.kraft@dlapiper.com  
brian.biggs@dlapiper.com

*Attorneys for Defendant  
CareFusion Corporation*

MORRIS, NICHOLS, ARSHT & TUNNELL  
LLP

Of Counsel:

Deepro Mukerjee  
Christopher L. McArdle  
ALSTON & BIRD LLP  
90 Park Avenue, 12<sup>th</sup> Floor  
New York, NY 10016-1387  
(212) 210-9400

By: /s/ Rodger D. Smith II  
Rodger D. Smith II (#3778)  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
(302) 351-9200  
rsmith@mnat.com

*Attorneys for Defendant  
Haemonetics Corporation*

Kamran Jivani  
ALSTON & BIRD LLP  
One Atlantic Center  
1201 West Peachtree Street  
Atlanta, GA 30309  
(404) 881-7000

MORRIS JAMES LLP

Of Counsel:

Bradford P. Lyerla  
Benjamin J. Bradford  
JENNER & BLOCK LLP  
353 N. Clark Street  
Chicago, IL 60654  
(312) 222-9350

By: /s/ Mary B. Matterer  
Richard K. Herrmann (#405)  
Mary B. Matterer (#2696)  
500 Delaware Avenue, Suite 1500  
P.O. Box 2306  
Wilmington, DE 19899-2306  
(302) 888-6800  
mmatterer@morrisjames.com

*Attorneys for Defendant  
Hospira, Inc.*